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15 Attorneys for Defendants (Additional Counsel on Signature Page)

16 **UNITED STATES DISTRICT COURT**
 17 **EASTERN DISTRICT OF WASHINGTON**

18 CITY OF SPOKANE, a municipal
 corporation, located in the County of
 Spokane, State of Washington,

19 Plaintiff,

20 v.

21 MONSANTO COMPANY, SOLUTIA
 22 INC., and PHARMACIA
 CORPORATION, and DOES 1 - 100,

23 Defendants.
 24

Case No. 15-cv-00201-SMJ

Declaration of Adam E. Miller
 Re: Defendants' Daubert Motion to
 Exclude the Expert Testimony of Lisa
 Rodenburg

1 Adam E. Miller declares and states under penalty of perjury:

2 1. I am over the age of 18 and competent to be a witness herein. I am an
3 attorney for Defendants Pharmacia LLC (“Pharmacia” or “Old Monsanto”),
4 Monsanto Company (“New Monsanto”) and Solutia Inc. (“Solutia”) (collectively,
5 “Defendants”) in this matter. Except where indicated otherwise, I make this
6 declaration based on my own personal knowledge and the books and records of my
7 firm Capes Sokol Goodman and Sarachan, P.C.

8 2. **Exhibit A** includes a true and correct copy of the Expert Report of
9 Lisa A. Rodenburg, Ph. D., October 11, 2019, submitted in the matter captioned
10 *City of Spokane, et al. v. Monsanto Company, et al.*, Case No. 15-cv-00201 (SMJ)
11 in the U.S. District Court for the District of Eastern District of Washington.

12 3. **Exhibit B** includes true and correct copies of excerpts of the
13 deposition transcript of deposition testimony of Lisa A. Rodenburg, Ph.D., taken
14 on December 18, 2019, in the matter captioned *City of Spokane, et al. v. Monsanto*
15 *Company, et al.*, Case No. 2:15-cv-00201 (SMJ) in the U.S. District Court for the
16 District of Eastern District of Washington, at the offices of Shook, Hardy & Bacon,
17 2001 Market Street, Suite 3000, Philadelphia, Pennsylvania, before Debra Sapio
18 Lyons, RDR, CRR, CRC, CCR, CLR, CPE. Exhibit B includes the following pages
19 from the transcript: 16-18, 43, 51, 57-63, 67-68, 72-73, 81-82, 84-85, 87-88, 90-92,
20 95-96, 101-104, 127-136, 138-142, 146, 153-155, 172-175, 186-228, 236-241,
21 247-248, 252-254, 257-259, 265-272, 275-277, Court reporter certification, Lisa A.
22 Rodenburg’s certification page and errata sheet.

1 4. **Exhibit C** includes true and correct copies of excerpts of the
2 deposition transcript of deposition testimony of Lisa A. Rodenburg, Ph.D., taken
3 on June 14, 2019, in the matter captioned *San Diego Unified Port District, et al. v.*
4 *Monsanto Company, et al.*, Case No. 3:15-cv-00578-WQH-AGS in the U.S.
5 District Court for the Southern District of California, at the offices of Kelley Drye
6 & Warren, LLP, One Jefferson Road, Parsippany, New Jersey, before Mary F.
7 Bowman, RPR, CRR. Exhibit C includes the following pages from the transcript:
8 18-19, 28-34, 54-56, Court reporter certification, Lisa A. Rodenburg's certification
9 page and errata sheet.

10
11 //

12 I declare under penalty of perjury of the law of the United States that the
13 foregoing is true and correct to the best of my knowledge. Signed this 28th day of
14 January 2020 at St. Louis, Missouri.

15
16 By: /s/ Adam E. Miller
17 Adam E. Miller, MO Bar No. 40945
18 (Pro Hac Vice)
19 CAPES, SOKOL, GOODMAN AND SARACHAN,
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CERTIFICATE OF SERVICE

I certify that on January 28, 2020, I caused the foregoing Declaration to be electronically filed with the clerk of the Court using the CM/ECF System which in turn automatically generated a Notice of Electronic Filing (NEF) to all parties in the case who are registered users of the CM/ECF system. The NEF for the foregoing specifically identifies recipients of electronic notice.

By: /s/ Adam E. Miller

Adam E. Miller, MO Bar No. 40945

(*Pro Hac Vice*)

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